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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JEROME W. PEPMUELLER, Jr.,

Plaintiff,

v.

ANDREW SAUL,
Commissioner of Social Security,

Defendant.

Case No.: 2:20-cv-01694-EJY

UNOPPOSED MOTION FOR VOLUNTARY
REMAND PURSUANT TO SENTENCE
FOUR OF 42 U.S.C. § 405(g)

Defendant Andrew Saul, Commissioner of Social Security (“Defendant”) respectfully requests that the Court remand this action for further administrative action pursuant to section 205(g) of the Social Security Act, as amended, 42 U.S.C. section 405(g), sentence four. The purpose of the remand is to offer Plaintiff a new decision.

On remand, the Administrative Law Judge will reevaluate the opinions of record, including those of Dr. Wingert, consistent with 20 CFR 404.1527 and 416.927; reassess the claimant’s residual functional capacity pursuant to 20 CFR 404.1545, 416.945, and Social Security Rulings 85-16 and 96-8p, and proceed with the sequential evaluation as necessary. The Commissioner will conduct any necessary further proceedings and issue a new decision. Defendant further requests that

1 the Clerk of the Court be directed to enter a final judgment in favor of Plaintiff, and against
2 Defendant, reversing the final decision of the Commissioner.

3 Counsel for Defendant conferred with Plaintiff's counsel, who has no opposition to this
4 motion on April 23.

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6 Dated: April 23, 2021.

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8 Respectfully submitted

9 CHRISTOPHER CHIOU
Acting United States Attorney

10 /s/ Marcelo Illarmo
11 MARCELO ILLARMO
Special Assistant United States Attorney

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13 IT IS SO ORDERED:

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16 UNITED STATES MAGISTRATE JUDGE

17 DATED: April 23, 2021
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